

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD ROBERT TRELEASE, JR.
A/K/A RICHARD TRELEASE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 43612

RICHARD ROBERT TRELEASE, JR.
A/K/A RICHARD TRELEASE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 43614

RICHARD ROBERT TRELEASE, JR.
A/K/A RICHARD TRELEASE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 43615

FILED

JAN 07 2005

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

These are consolidated appeals from a district court order denying appellant's post-conviction petition for a writ of habeas corpus. Second Judicial District Court, Washoe County; Connie J. Steinheimer, Judge.

Docket No. 43612 relates to appellant Richard Robert Trelease, Jr.'s conviction, pursuant to a guilty plea, of one count of attempted home invasion. The district court sentenced Trelease in that case to serve a prison term of 12 to 36 months to run consecutively to the sentence imposed in the conviction challenged in Docket No. 43614. Docket No. 43614 relates to Trelease's separate conviction, pursuant to a

guilty plea, of one count each of grand larceny and burglary. The district court sentenced him to serve a prison term of 12 to 48 months for the grand larceny count and a consecutive prison term of 22 to 96 months for the burglary count. Docket No. 43615 relates to Trelease's conviction, pursuant to a guilty plea, of one count of burglary. The district court sentenced him to serve a prison term of 16 to 120 months to run consecutively to the sentence imposed in the conviction challenged in Docket No. 43612. Trelease appealed all three convictions, and this court affirmed the judgments of conviction.¹

On June 2, 2003, Trelease filed a proper person post-conviction petition for a writ of habeas corpus challenging his three convictions. The State opposed the petition. The district court appointed counsel to represent Trelease, and counsel supplemented the petition. After conducting an evidentiary hearing, the district court denied the petition. This appeal followed.

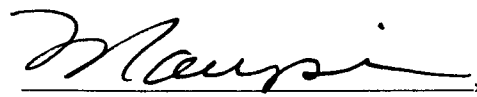
Trelease contends that the district court erred in denying his petition because his counsel was ineffective and his guilty pleas were invalid. Trelease argues that his counsel was ineffective at sentencing in failing to investigate and present mitigating evidence that Trelease: (1) experienced severe trauma while incarcerated, including being a victim of rape and the death of his only child; (2) witnessed a murder while in prison and assisted the State by testifying against the perpetrator; and (3) suffered from drug addiction. Additionally, Trelease contends that his guilty pleas were invalid because he pleaded guilty believing he would

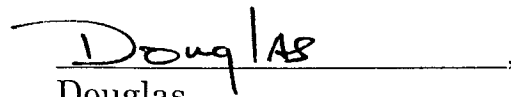
¹Trelease v. State, Docket Nos. 39755, 39763 & 39764 (Order of Affirmance, August 21, 2002).

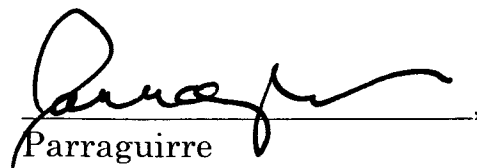
receive concurrent sentences and serve a prison sentence of no longer than 15 years.

After conducting an evidentiary hearing, the district court found that counsel was not ineffective and that Trelease's guilty pleas were knowing and voluntary. The district court's factual findings are entitled to deference when reviewed on appeal.² Trelease has not demonstrated that the district court's findings of fact are not supported by substantial evidence or are clearly wrong. Moreover, Trelease has not demonstrated that the district court erred as a matter of law. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Maupin


_____, J.
Douglas


_____, J.
Parraguirre

cc: Hon. Connie J. Steinheimer, District Judge
Karla K. Butko
Attorney General Brian Sandoval/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk

²See Riley v. State, 110 Nev. 638, 647, 878 P.2d 272, 278 (1994).